



Docket No.: 062807-0137

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Tetsuya UDA : Confirmation Number: 8647  
Application No.: 10/645,870 : Group Art Unit: 2874  
Filed: August 22, 2003 : Allowed: December 20, 2005  
Examiner: O. R. Rojas  
  
For: OPTICAL TRANSMISSION EQUIPMENT WITH DISPERSION COMPENSATION,  
AND DISPERSION COMPENSATING METHOD

**COMMENTS RESPONSIVE TO STATEMENT OF  
REASONS FOR ALLOWANCE  
UNDER 37 C.F.R. § 104(e)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance accompanied the December 20, 2005 Notice of Allowability regarding the above-identified application. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicant in the stated reasoning.

The Statement refers to the different controller related requirement of each of the independent claims and asserts that the particular claimed controller in combination with other recited features distinguishes the respective independent claim over the prior art of record. The wording of the Statement however does not precisely track the wording of each cited independent claim. The wording of the claims is more precise and is already of record. Also, Applicants positions on patentability should be clear in the record, at this stage of prosecution.

It is respectfully submitted that the Statement should not be viewed as suggesting any claim interpretation or estoppel with regard to any of the allowed claims, particularly to the extent if any that the Statement may differ from the actual claim language, the proper claim construction or from Applicant's positions on patentability. Also, the Statement's references to "combination with other recited features" should not be construed as placing any additional weight on other individual elements of any of the independent claims, and as such, should not impose any cumulative requirement for patentability or related estoppel with regard to other claim elements.

It is respectfully submitted that the allowed claims should be entitled to the broadest reasonable interpretation and to the broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and Applicant's prosecution of the claims, without reference to the Statement of Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Date: March 8, 2006**

**Please recognize our Customer No. 20277  
as our correspondence address.**